

REMARKS

Claims 1-11 are pending in the application. Claims 1 and 5 are the pending independent claims. It is gratefully acknowledged that Claims 5-9 have been allowed. Claims 1-4 are rejected under 35 U.S.C. 102(e), as being anticipated by Cushman et al. (U.S. Patent No. 6,125,287). While the Office Action does not address Claims 10 and 11, it is believed that dependent Claims 10 and 11 are allowable as they are dependent upon Claim 5, which has been allowed.

Cushman discloses a method for diversifying key functions in a mobile communication terminal. This diversification is provided through different schemes; however, none of these methods teach all the elements of Claim 1 of the present invention.

Cushman first discloses an OPTions key, which the Examiner cites as teaching the elements of Claim 1 of the present invention. The OPTions key works in conjunction with four Function keys, a right arrow, left arrow, up arrow and down arrow. When the OPTions key is pressed once, the functions provided by the Function key change. "Pressing the OPTions key for a second time returns the original set of function assignments" (Col. 3, line 23-26). There is no time dependence whatsoever associated with the OPTions key operation. The OPTions key is solely based on performing a first stroke or a second stroke. Without a timing element, Cushman is not "detecting whether the user has consecutively inputted the *same key* before elapse of a

predetermined time period for consecutive input”. [Emphasis added], as recited in Claim 1.

Time is not measured and not a determinant for this feature of Cushman.

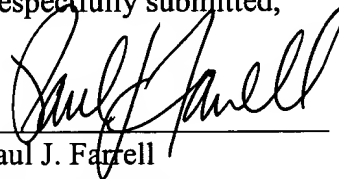
Cushman also discloses a method for permitting the alphanumeric keys to cause different letters, or a number, or a symbol to be displayed dependent upon the number of times the alphanumeric key is stroked. For instance, during a Search function a name being searched can be entered using the alphanumeric keypad keys. If the alphanumeric key labeled “2 a b c” is pressed once within a predetermined time period, the letter “a” is entered. If the key is pressed twice within the predetermined time period, the letter “b” is entered. Three strokes of the key within the predetermined time period, enters the letter “c”. Cushman does not teach the element of Claim 1 of “performing a different function from among a plurality of different functions, according to a number of times of consecutive input of the same key.” With respect to entering names, the “function” is the entering of names within the Search function. In Cushman, the number of times the key is stroked does not change the Search “function”, but merely changes the letter selection within this Search “function”. This is very clearly distinguished from the “functions” being changed according to Claim 1.

Accordingly, it is believed that Cushman does not teach each and every element of Claim 1. In view of the preceding remarks, it is respectfully submitted that Claim 1 is in condition for allowance. While not conceding the patentability of Claims 2, 3 and 4, per se, Claims 2, 3 and 4, which depend from Claim 1, are also believed to be in condition for allowance. Claims 5-9 have

been allowed in the current Office Action. Claims 10 and 11, which depend from Claim 5, are also in condition for allowance.

Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicants' attorney at the number given below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Paul J. Farrell", written over a horizontal line.

Paul J. Farrell
Reg. No. 33,494
Attorney for Applicant(s)

DILWORTH & BARRESE, LLP
333 Earle Ovington Boulevard
Uniondale, New York 11553
(516) 228-8484